

ESTTA Tracking number: **ESTTA228489**

Filing date: **08/05/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91173105
Party	Defendant Michael Dalton
Correspondence Address	Michael Dalton Box 18137 670 Northland Blvd. Cincinnati, OH 45218-0137 UNITED STATES DALTONME@hotmail.com
Submission	Opposition/Response to Motion
Filer's Name	Michael Dalton
Filer's e-mail	DALTONME@hotmail.com
Signature	/Michael Dalton/
Date	08/05/2008
Attachments	AmendedOppositionTimeExtension.pdf ( 4 pages )(138863 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Honda Motor Co. LTD	:	
	:	
Opposer	:	
	:	
vs.	:	Opposition No. 91173105
	:	
Michael Dalton	:	
	:	
Applicant	:	

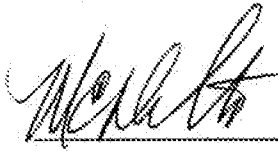
**DEFENDANT'S AMENDED OPPOSITON TO PLAINTIFF'S MOTION  
TO EXTEND TIME FOR TESTIMONY PERIOD**

Now comes, Michael Dalton, Defendant – Applicant, and hereby amends his opposition to deny opposor's, Honda Motor Co. Ltd, motion to extend time for the testimony period, as the granting of such would constitute an unreasonable delay.

Upon the electronic serving of Applicant's Opposition and Opposition memorandum to Plaintiff's Motion to extend Time for Testimony Period, *incorporated herein by reference in it's entirety*, the Applicant received a return email indicating that the Opposor's' s council seeking time extension is currently on vacation, *see exhibit D*. The Opposor's motion leaded the Applicant to believe that the Opposor's key witness was on vacation. It appears that the Opposor's attorney has chosen to vacation, although knowing since February 29, 2008 the time of the testimony period. This further reinforces Applicant's position that the time extension is one of convenience and has caused an unnecessary delay lacking diligence.

As such, the Applicant moves the board to deny the Opposor's motion for time extension.

Respectfully submitted,

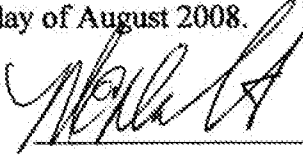


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Michael Dalton, pro se  
PO Box 18137  
Cincinnati, Ohio 45218-0137  
(513) 557-2901  
DALTONME@hotmail.com

**Certificate of Service**

I, Michael Dalton, hereby certify that this Opposition to Opposor's Motion for Time Extension has been served by electronic email upon Opposor's council Mark Matuschak, [mark.matuschak@wilmerhale.com](mailto:mark.matuschak@wilmerhale.com), Cora Han, [cora.han@wilmerhale.com](mailto:cora.han@wilmerhale.com) and standard U.S. mail upon Mark Matuschak and Cora Han at Wilmer Cutler Pickering Hale and Dorr LLP, 60 State Street, Boston, MA 02109 and Dyan Finguerra-DuCharme at Wilmer Cutler Pickering Hale and Dorr LLP, 399 Park Ave, New York, NY 10022 this 5th day of August 2008.



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Michael Dalton, pro se  
PO Box 18137  
Cincinnati, Ohio 45218-0137  
(513) 557-2901  
DALTONME@hotmail.com

# **Exhibit D**

**DALTONME**

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**From:** "Finguerra-DuCharme, Dyan" <Dyan.Finguerra-DuCharme@wilmerhale.com>  
**Date:** Tuesday, August 05, 2008 4:00 PM  
**To:** "DALTONME" <DALTONME@hotmail.com>  
**Subject:** Out of Office AutoReply: 91173105 - Opposition to Time Extension

I am out of the office on vacation. I will be checking my email periodically (mostly in the morning).

If you need immediate assistance, please contact Barbara Winterble at (212) 937-7238 or [barbara.winterble@wilmerhale.com](mailto:barbara.winterble@wilmerhale.com). Thanks.